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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEVADA

In re:

JOHN D. GESSIN,

Debtor.

Case No.: BK-N-11-51818-btb
Chapter 7

**MOTION TO WITHDRAW AS COUNSEL
OF RECORD FOR THE DEBTOR**

Hearing Date: TBA
Hearing Time: TBA

Darby Law Practice, Ltd., counsel of record for the Debtor in the above-referenced bankruptcy matter, hereby seeks to withdraw as Counsel for the reasons set forth below pursuant to LR 10-6(b), Nevada Supreme Court Rules, Rule 46, and Nevada Rules of Professional Conduct, Rule 1.16. This Motion is based on the following Points and Authorities and the Declaration of Counsel.

POINTS AND AUTHORITIES

I. BACKGROUND FACTS

1. On June 2, 2011, Debtor filed a voluntary petition under Chapter 13 of the U.S. Bankruptcy Code.

2. Debtor appeared at his 341 Meeting of Creditors on July 15, 2011. Debtor's 341 Meeting was continued to August 26, 2011. Debtor did not appear at his continued 341 Meeting because of complications relating to an eye surgery. Debtor's 341 meeting was continued to September 9, 2011. Debtor did not appear due to his desire to have his case dismissed.

